IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE ANTONY DOMINIC

THURSDAY, THE 13TH DECEMBER 2007 / 22ND AGRAHAYANA 1929

WP(C).No. 36865 of 2007(L)

PETITIONER:

ABOOBACKER MUSSALIAR, S/O. SYED
MOHAMMED MUSSALIAR, PUTHENPURAYIL HOUSE,
ERMATHOOR P.O., MANNAR, ALAPPUZHA DISTRICT.

BY ADV. SRI.J.DEVADANAM

RESPONDENTS:

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1. THE KERALA STATE WAKF BOARD,
ERNAKULAM, REPRESENTED BY ITS CHIEF EXECUTIVE
OFFICER.

2. THE PRESIDENT,
ERAMATHOOR MUSLIM JAMA ATH, ERAMATHOOR P.O.,
MANNAR, ALAPPUZHA.

3. THE SECRETARY,
ERAMATHOOR MUSLIM JAMA ATH, ERAMATHOOR P.O.,
MANNAR, ALAPPUZHA.

4. THE IMAM,
ERAMATHOOR MUSLIM JAMA ATH, ERAMATHOOR P.O.,
MANNAR, ALAPPUZHA.

5. THE CHAIRMAN,
ALL KERALA SUNNI EDUCATION BOARD,
MARKOSE COMPLEX, KARANTHOOR P.O., KOZHIKODE.

BY ADV. SRI.P.A.ABDUL JABBAR, SC, WAKF BOARD

THIS WRIT PETITION (CIVIL) HAVING COME UP FOR ADMISSION ON 13/12/2007, THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING:

ANTONY DOMINIC, J.

W.P.(C) 36865 of 2007

Dated: December 13, 2007

JUDGMENT

The children of the petitioner have been expelled from a Madrassa run by respondents 2 to 4. It is submitted that despite representations made by the petitioner, the Madrassa authorities are declining to reconsider the matter and therefore the petitioner has filed Ext.P5 application before the 1st respondent. This writ petition has thereafter been filed praying for expediting the proceedings before the 1st respondent.

2. The Standing Counsel appearing on behalf of the 1st respondent confirms of having received Ext.P5 on 11.12.2007 and submits that the matter now stands posted to 27.12.2007. He, however, points out that though the parties are to appear on 27.12.2007, it is only after giving the opposite parties to the proceedings a reasonable opportunity to explain their case, can the 1st respondent finalise the proceedings.

3. The submission of the 1st respondent is perfectly justified.

But then, the urgency of the situation also requires an expeditious completion of the proceedings since the children are no longer admitted to undergo their classes in the Madrassa.

Therefore I dispose of this writ petition directing that the 1st respondent shall expedite the proceedings with notice to the parties and finalise it as expeditiously as possible, at any rate, within two months of receipt of a copy of this judgment.

ANTONY DOMINIC, JUDGE

mt/-